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Privilege to Slander Unpatriotic

"ABSOLUTE PRIVILEGE" not to testify in a slander suit has been claimed by the Central Intelligence Agency.

A Canadian, born in Estonia, brought a slander suit against a CIA agent, charging that the agent had circulated rumors that the Canadian was a double agent for the Communists. The Canadian had been active in anti-Communist work as a lecturer.

Does the CIA have absolute privilege under the law? That is something the courts must decide, but if such law exists, it should be promptly repealed.

The CIA, America's huge intelligence organization, must have broad privilege. If its records could

be subpoenaed and its agents forced to testify concerning their activities, national security would be endangered.

Slander, however, does not come under the heading of official activities. It is an act of personal malice, no matter if it were ordered by the government. Spies have also killed in defense of their government. When caught, they are treated as common murderers.

Privilege has its limits. Clergy, lawyers and physicians need not tell what they heard while carrying out their professional activities. Aside from that, such men are just citizens. If they circulated slander, they would be open to suit or even criminal action.

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TO CALL ANYONE a Communist is libel per se in the United States. The victim of the slander doesn't have to prove that he is not a Communist. He simply has to prove that the word was said.

If spies have legal privilege beyond other citizens, America has departed from the meaning of its Constitution.